

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Commonwealth of Pennsylvania, State of California, State of Delaware, District of Columbia, State of Maine, Commonwealth of Massachusetts, and State of North Carolina,

Plaintiffs,

v.

Case No. 20-cv-4096

Louis DeJoy, in his official capacity as United States Postmaster General, Robert M. Duncan, in his official capacity as Chairman of the Postal Service Board of Governors, and the United States Postal Service,

Defendants.

**DEFENDANTS' MOTION FOR CLARIFICATION OR, IN THE ALTERNATIVE,
TO MODIFY THE PRELIMINARY INJUNCTION**

Defendants respectfully move to clarify, or, in the alternative, to modify the preliminary injunction to reflect that the preliminary injunction does not prohibit the Postal Service from declining approval for extra network trips pursuant to the following principles: (1) where an extra trip would not be service responsive, and (2) where not using an extra trip would delay a volume of mail that is no greater than 15% of the truck's total capacity. A memorandum of points and authorities in support of this motion and proposed order is attached hereto. Defendants have conferred with Plaintiffs, who reports that that they are still considering their position.

Dated: May 12, 2021

Respectfully submitted,

BRIAN M. BOYTON
Acting Assistant Attorney General

ERIC R. WOMACK
Assistant Director, Federal Programs Branch

/s/ Kuntal V. Cholera
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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all users receiving ECF notices for this case.

/s/ Kuntal V. Cholera

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Dated: May [REDACTED], 2021

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